

ORDINANCE NUMBER O-18839 (NEW SERIES)

ADOPTED ON SEP 12, 2000

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.1503 AND 24.1504, ALL RELATING TO THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, representatives of the City Manager's office, the Retirement Administrator and representatives of eligible retired members of the San Diego City Employees' Retirement System ("SDCERS") met to consider improvements with the Supplemental COLA program described in San Diego Municipal Code ("SDMC") section 24.1504; and

WHEREAS, as a result of these discussions, the City Manager recommends the inclusion of additional retirees to the class of retirees eligible to receive the Supplemental COLA; and

WHEREAS, the recommendation covers those retirees otherwise meeting the requirements of SDMC sections 24.1503 and 24.1504 who retired on an industrial disability with less than ten years of creditable service or who retired with ten years of continuous service; and

WHEREAS, no vote of the retirees is required because the recommended increase to the class of eligible recipients for the Supplemental COLA Program is not a vested defined benefit within the meaning of Section 143.1 of the Charter for The City of San Diego; and

WHEREAS, General Counsel for the Retirement Board was asked to prepare a draft ordinance amending Chapter II, Article 4, of the San Diego Municipal Code ("SDMC") to amend sections 24.1503 and 24.1504; and

WHEREAS, said ordinance was prepared by the Retirement Board's General Counsel and provided to the City Attorney for review and finalization; and

WHEREAS, it is now necessary and appropriate to amend the SDMC to reflect the inclusion of those retirees now eligible to receive the Supplemental COLA as set forth in this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 4, of the San Diego Municipal Code be amended by amending Section 24.1503, to read as follows:

SEC. 24.1503 **Annual Supplemental Benefit -- Qualification and Determination**

The purpose and intent of this section is to provide necessary guidelines for effectuating the payment of annual supplemental benefits set forth in Section 24.1502(a)(6) by (a) identifying and defining those retirees qualified to receive such benefit and (b) establishing a method for determining the amount of the annual supplemental benefit.

(a) [No change in text].

(1) through (4). [No change in text].

(5) For the sole purpose of establishing eligibility for the Supplemental COLA described in Section 24.1504, Qualified Retirees may include those retirees with less than ten (10) years of creditable service, including those who are receiving an industrial disability retirement from the System or who have ten (10) years of continuous service with the System.

(b) [No change in text].

(c) [No change in text].

Section 2. That Chapter II, Article 4, of the San Diego Municipal Code be amended by amending Section 24.1504, to read as follows:

SEC. 24.1504 Supplemental COLA Program

The purpose of the Supplemental COLA Program is to increase the retirement benefit of certain Qualified Retirees as defined in Section 24.1503 by an amount sufficient to insure that their benefit as of July 1, 1998, when combined with their Annual Supplemental Benefit as defined in Section 24.1503, is at a level equivalent to seventy-five percent (75%) of the present value of their Base Retirement Benefit. The amount of increase under this Section, however, shall not exceed fifty percent (50%) of the Qualified Retiree's benefit in effect as of July 1, 1998.

For purposes of this section, the Base Retirement Benefit is the full monthly Retirement Allowance received upon retirement. The benefit in effect July 1, 1998, is the benefit as defined in Section 24.0402, Section 24.0403 or Section 24.0405, as adjusted by both the Cost of Living Adjustment defined in Section 24.1505 and the Annual Supplemental Benefit, defined in Section 24.1503.

(a) Participation in the Supplemental COLA Program shall be limited to Qualified Retirees as defined in Section 24.1503 or their survivors, including special death benefit recipients, who:

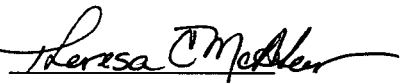
(1) through (2). [No change in text].

(b) through (d). [No change in text].

Section 3. A full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Theresa C. McAteer
Deputy City Attorney

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09/07/00 REV.
Or. Dept: Retirement
O-2001-36